

- [10] *Division of Labour*, p. 79.
 [11] *Suicide*, p. 312.
 [12] Cf. G. Poggi, "The Place of Religion in Durkheim's Theory of Institutions", *European Journal of Sociology*, 12, 2, 1971, pp. 229-60.
 [13] Durkheim, "Note on Social Morphology", originally published in *L'Année sociologique*, 2, (1897-98), 520-21; the quotation is from Traugott (ed.), 1978, p. 88.

3.4 THE DIVISION OF LABOUR IN SOCIETY

3.4.1 Content, Context and Argument of the Book

On a first reading, *The Division of Labour in Society* [1] seems the most dated and least convincing of Durkheim's major works. However, it is important for understanding the starting-point of his sociology and its subsequent course of development. It also contains many of the main components of his sociological model and method. In addition, the famous second preface, published in 1902, 'Some Remarks on Occupational Groups', sets out his suggestions for dealing with the pathological tendencies of capitalist social organization.

Although Durkheim wrote within the evolutionary framework of his sociological predecessors, Comte and Spencer (and even Marx), his problematic — the system of questions he addressed — was different in some respects. His predecessors had been mainly concerned with the contrast between feudal society and its successor, capitalist society. Durkheim's problematic was directed at a deeper level, or a longer term perspective, and concerned the relation of the individual to society. The developments he discussed were related not simply to the changing social relations brought about by capitalism, but to change in the bases of social solidarity that began to occur in the most primitive or ancient societies. This is illuminated by the fact that most of his examples are drawn from societies such as the American Indians, the Jewish tribes of the Old Testament, ancient Egypt, and the Roman Republic. (In his later work, *The Elementary Forms of the Religious Life*, he was to take most of his examples from ethnographic reports on the Australian aborigines.) It is the relationship between the individual and society that constituted the problematic of all aspects of Durkheim's work, as manifested in the specific sociological, moral and political problems it chose to address. The main sociological problem was concerned with demonstrating the existence of society as a reality distinct from its individual parts, and composed of layers of social

structures and social forces that moulded and constrained the individual. The moral problem was how to reconcile individual freedom and social order. The political problem was how to foster forms of social organization that would produce spontaneous solidaristic tendencies and maximize individual freedom.

The subject-matter of the book is clearly set out in the preface to the first edition:

"This work had its origins in the question of the relations of the individual to social solidarity. Why does the individual, while becoming more autonomous, depend more upon society? How can he be at once more individual and more solidary?" The answer, he says, lies in "a transformation of social solidarity due to the steadily growing development of the division of labour" [1], pp. 37-38.

The questions are clear enough, but to a present-day reader the framework may be obscure. Just what is the framework and its associated concepts that we are expected to have as a resource for understanding these questions? Durkheim insists that discussion be carried on in a scientific form, and he rejects all lay conceptualizations. Fortunately, he makes clear in his introduction the sources of the issues and the concepts. He mentions that several thinkers from the earliest times had seen the importance of the division of social labour (Aristotle is specifically mentioned), but Adam Smith, at the end of the eighteenth century, was the first to attempt a theory of it. The empirical reality to which the theory referred had become obvious to everyone by the end of the nineteenth century:

"Nowadays, the phenomenon has developed so generally it is obvious to all. We need have no further illusions about the tendencies of modern history; it advances steadily towards powerful machines, towards great concentrations of forces and capital, and consequently to the extreme division of labour. Occupations are infinitely separated and specialized, not only inside the factories, but each product is itself a speciality dependent upon others" [1], p. 39.

Durkheim notes that the concept of the division of labour had become part of the accepted wisdom, although ideas about it had not advanced much since Adam Smith, despite its frequent use by economists. There had been two developments, however. One was the broadening of the scope of the notion as a result of the work of biologists, who had demonstrated that the more specialized the functions of an organism, the greater its development. The result was to give the concept a

wider, evolutionary meaning: "The division of labour in society appears to be no more than a particular form of this general process" [1], p. 41. This, in turn, had led to another development in discussions of the concept, and that was a debate about the moral merits of the division of social labour.

Is specialization good or bad? Some people made it into a moral imperative, saying "Make yourself usefully fulfil a determinate function" [1], p. 43. Others pointed to the degrading nature of the division of labour in its effect on workers. For his part, Durkheim recommended the avoidance of moral assertions, and advocated the sociological analysis of the phenomenon, which he equated with an attempt to get at the empirical facts of the matter. Analysis was to be divided into three parts; first, an attempt should be made to determine the function of the division of labour — what social need it satisfied; second, we should then determine the causes and conditions on which it is dependent; and third, we should try to classify the principal deviant, or abnormal forms that it takes. Summarized in modern terms, these three Durkheimian modes of analysis are: functional analysis, causal analysis, and the ideal type analysis (or modelling).

Such is Durkheim's introductory outline of the issues and his approach. It emerges only later that the thesis has certain adversaries in mind as principal intellectual opponents, against whom its arguments are directed. The opponents are of two sorts. On the one hand there are the proponents of traditional moral philosophy, who believe all questions of ethics can be resolved by deduction from *a priori* principles. On the other hand are ranged social philosophies which take the individual's inherent needs and capacities as their starting point, and so reduce all social questions to questions of individual psychology. In the first camp were Catholic moral philosophers and conservative traditionalists. In the second camp were Utilitarian philosophers and political economists, the most prominent of these being also the most influential sociologist of the nineteenth century — Herbert Spencer.

It could be said that the main scholarly intention of Durkheim's work was to call into question all assertions about society that had not been framed in a form that permitted empirical testing, and to advocate the formulation of questions in sociological terms that gave pride of place to social factors as opposed to individual psychological or biological factors. He shared the conviction of the moralists that morals, interpreted in a very broad sense, constituted a fundamental layer of social existence that was indispensable for society, but he insisted that the subject be brought down to earth and the morals be studied by way of their concrete manifestations, particularly with regard to sanctions

against their contravention. Empirical and comparative investigation could reveal the precise nature of moral codes and their social conditions of existence. In this way it should be possible to explain why certain codes exist in specific social conditions, as in the case of the large number of moral injunctions safeguarding the rights and possessions of the individual in the societies of industrial capitalism. In this, as in many other points, Durkheim's sociology had an impact on some contemporaries that was very similar to that of Marx's mode of analysis. The impact was that of a seemingly radical relativization of moral and legal codes, and of their ideological justifications. Although Durkheim's own moral and political preferences creep back in, he is much less inclined than earlier sociologists, such as Spencer, to give the impression that society has steadily evolved until it has reached its highest level in his own present society. Indeed, the third part of his book is given over to portraying the existing society as being very poorly regulated and with a forced or artificial division of labour that left society in a pathological state.

3.4.2 Spencer and social evolution

Spencer's sociology exerted a great influence in the second half of the nineteenth century, and there are at least forty references to him in *The Division of Labour*. His combination of social evolutionary doctrines and utilitarian philosophical principles made up a potent intellectual force, buttressed by the prestige of Darwin's theory of evolution and advances in biological sciences, and the ideological requirements of competitive capitalism, with its emphasis on individual striving and the sanctity of individual property rights and the individual as consumer. However, towards the end of the century these principles began to appear inadequate as a basis for national unity and progress, especially in France, which had suffered defeat at the hands of Germany and found its prospects for progress blocked by social divisions.

The most widely-canvassed alternative to the *laissez-faire* principles of Spencer and economists of the so-called Manchester School was an approach which expected the State to create social solidarity and to direct social progress. This was the approach favoured by a number of theorists, such as Comte in France, and many of those whose work Durkheim had encountered in Germany, including Ferdinand Tönnies. Although Durkheim's ideas on social development followed a similar line to Comte and the Germans, he differed from them in significant respects on this issue. On practical political grounds he did not think much of the political regimes that were likely to result from their approach, such as Bonapartist authoritarianism, or State directed

capitalism (which was Tönnies' version of socialism). On sociological grounds he maintained that industrial society, in its occupational structure, contained the basis for a realistic, organic solidarity, that represented a superior basis for social integration than either self-interest or mechanical solidarity imposed by the State. Although using a similar sort of classification of societies along a developmental continuum, from simple to complex forms, with "mechanical solidarity" at one end and "organic solidarity" at the other, his emphasis was on the capacity of levels of social organization below that of the State for producing solidarity. He was as realistic as Marx in seeing that the economic structures were the dominant structures of industrial society, but he also believed they had to be more than just economic if they were to produce social stability and integration. In effect, they had to accentuate their moral capacities, and their potential for enabling the individual to feel a positive attachment to society.

Durkheim's discussion of the development of the division of labour, by its very use of that key-note term, was bound to place him within the framework of the social evolutionary paradigm. This created problems for him because, when trying to differentiate his position from others, such as Spencer, who wrote about the division of labour, he had to struggle against the priorities imposed by that paradigm. For example, the concept of the division of labour carried the implication that economic factors were the most fundamental. But Durkheim believed that "the claim sometimes advanced that in the division of labour lies the fundamental fact of all social life is wrong". Instead, his sociological model had shared beliefs and sentiments as its most fundamental level, i.e. the collective conscience.

"There is, then, a social life outside the whole division of labour, but which the latter presupposes. That is, indeed, what we have directly established in showing that there are societies whose cohesion is essentially due to a community of beliefs and sentiments, and it is from these societies that those whose unity is assured by the division of labour have emerged"[1], p. 277.

In Durkheim's eyes it was manifestly not the case, contrary to the confident assertion of Spencer and utilitarian philosophy, that social solidarity was produced automatically by each individual pursuing his own interests in economic exchange. Durkheim pointed out that economic exchanges in the modern division of labour were based on contracts, and contracts required a prior, moral framework, and that framework could not be explained as a product of exchange. Furthermore, Durkheim repudiated the evolutionist theory that made individual

interest (egoism) the starting point of human history and pictured cooperation and sociability (altruism) as a recent historical phenomenon. He expressed regret that the prestige of Darwin's evolutionary ideas had given this hypothesis authority, and had resulted in the drawing of a grotesque contrast between primitive societies in which egoism was suppressed by coercion, whilst modern society could depend upon the spirit of altruism emerging spontaneously among its members. It was not necessary to combat reactionary philosophies that imagined a paradise lost in the past by making past society appear dreary and by systematically belittling it. Nor was it scientific to dismiss evidence of altruistic ideas in past societies as nothing more than superstitions. Durkheim's view of human nature was that it contained a dualism. Every individual had egoistic and altruistic tendencies, and the existence of society depended on the maintenance of a certain degree of altruism. However, in contrasting primitive and advanced societies, Durkheim believed we would find that the proportion and content of these tendencies, as incorporated in culture, had changed.

3.4.3 Structure and change in primitive societies

Durkheim's main theoretical interest was in the functioning and content of the collective conscience and collective representations which encompassed much of what modern sociology calls *Culture*, especially those aspects of culture that have an obligatory character, deviance from which brings into play sanctions typical of a society at that particular stage of development. All levels of culture were structured, or codified, and the codes could be deciphered by the sociologists. So far as the collective conscience was concerned, its contents could be most easily observed in the form of legal codes, as these were the most highly formalized codes, with the most clearly specified sanctions. In the simpler societies, characterized by a low division of labour, and where, as a result, there was a high degree of resemblance and low differentiation in the functions performed by members of the society, the law was repressive. Any infringement of the mechanical solidarity produced by resemblance was highly disturbing and so severely punished.

The simpler societies tended to be small, with everyone experiencing the same conditions of existence, and therefore having the same perspective, which was concrete and local in its characteristic ideas (representations):

"In a small society, since everyone is clearly placed in the same conditions of existence, the collective environment is essentially concrete. It is made up of beings of all sorts who fill the social

horizon. The states of conscience representing it then have the same character. First, they are related to precise objects, as this animal, this tree, this plant, this natural force, etc"[1], p. 287.

Religion is the typical form of the collective conscience in the simpler societies, and it too is concrete and local in its representations, concerned with beings that relate to animals, trees, plants, and natural forces. Social organization is also simple and local, and its typical form is segmental, according to which all portions or groups are based on resemblance rather than difference. The horde is the ideal type of an undifferentiated society, and then there is the clan form of segmental organization, which is a horde that has ceased to be independent by becoming an element in a more extensive group.

Despite the primacy of the culture factors in providing the basis for sociability, and constituting, in Durkheim's model of the total social phenomenon, the fundamental level, in *The Division of Labour* it is to material factors that he looks for explaining change and development. The thesis of the book is that functional specialization is brought about by an increase in material and "moral" density. By these terms he means increases in population density and in social interaction and exchange. The growth of cities is the "characteristic symptom" of this phenomenon. Durkheim's account of the "progressive condensation" of societies in historical development draws heavily on Spencer's discussion in his *Principles of Sociology*, particular with reference to the importance of the population factor, involving an increase in volume and density of population, in bringing about an increase in the division of labour. Increased population density, the growth of cities, and improvements in transport and communication, all give rise to increased condensation of society, by multiplying intra-social relations. He speaks of the gaps between the segments being filled in by the growth of interactions and interdependence as individuals and groups specialize in serving certain functions and depending on others for what they cannot produce themselves.

Durkheim admitted that it was not possible to observe any existing society that corresponded to his model of the most basic social organization, the horde, but its prior existence could be postulated by the existence of societies which were formed out of a collection of simpler groups which approximated that type. The Indians of North America, particularly the Iroquois tribe, are given as an example. There was very little hierarchy or differentiation, and the segments were like the rings of an earthworm. These segmental societies with a clan base were a good example of societies in which there was a preponderance of

mechanical solidarity; that is, solidarity derived from likeness. Members shared the same functions and perceptions, and religion pervaded the whole social life. Property was held in common, just as were beliefs. To act contrary to the collective conscience, defined as "the totality of beliefs and sentiments common to average members of the same society", was to risk being punished for having committed an offence against religion as well as against the whole society.

3.4.4 Law and Punishment

It is Durkheim's use of law and punishment as indicators of societies approximating to his models that constitutes perhaps the most original sociological contribution of *The Division of Labour*. (Another major contribution is his use of the concept of "anomie", which was to feature extensively in *Suicide*.) Examination of systems of crime and punishment serves several purposes in his sociological analysis. Its most important purpose is to provide an empirical indicator of the nature and condition of various levels of social organization and culture in a society, in keeping with his general sociological model. It also serves the polemical purpose of combating moral philosophers who insisted that there were absolute moral principles, from which emanated all laws and morals in different societies, and at the same time it combated the Utilitarians' assumption that moral behaviour was the result of individuals making agreements that would maximize their happiness. Durkheim aimed to show that there was no such thing as an intrinsically criminal act. What was defined as criminal depended completely on the prevailing sentiments and beliefs in each society. This follows naturally from his initial definition of a crime: "an act is criminal when it offends strong and defined states of the collective conscience"[1], p. 80. There was no single formula that would allow us to predict in advance what would be a crime; it would depend completely on the collective conscience at any time:

"In other words, we must not say that an action shocks the common conscience because it is criminal, but rather that it is criminal because it shocks the common conscience. We do not reprove it because it is a crime, but it is a crime because we reprove it. As for the intrinsic nature of these sentiments, it is impossible to specify them. They have the most diverse objects and cannot be encompassed in a single formula. We can say that they relate neither to vital interests of society nor to a minimum of justice"[1], p. 81.

Law and the penal system provided an empirical indicator (an index external to individual subjectivity) of more obscure and less

easily observed social phenomena at other levels of the social system, such as morals and currents of public opinion. In simpler societies, these more impenetrable levels were dominated by collective beliefs and sentiments of a religious nature, and so the law was in large part religious law. Infractions were immediately, passionately, and severely punished, because they were a threat to the basic solidarity of the society, which was based on sameness of the mentalities of members, whose minds were largely infused with the collective conscience. The function of the law was to repress deviance, and this repressive law reserved its most severe sanctions for offences against religious prescriptions, because these hit at the core of the collective conscience. According to Durkheim, the evidence showed that this relationship was so well established in primitive societies that they did not bother to spell out the details of punishments for such serious offences. Where records existed of punishments inflicted, as in the Old Testament, they showed that religious offences were the most seriously punished. Offences that modern societies consider grave, such as murder, were often less severely punished. Another characteristic of repressive law was that, although some of the sanctions may be specified, the moral beliefs or justifications were not. This was because everyone knew them, and there was no need for formalization. For example, the homicide law did not commend respect for life, but simply specified the punishment. Durkheim also rejected any explanations of punishment in terms of its deterrent value. If that had been the case, punishments would not be graded according to the seriousness of the crimes but according to the strength of motivation to commit them. The function of repressive sanctions was to reaffirm solidarity in society by taking vengeance on the offender. Durkheim then shocked his more complacent readers by asserting that this is still the case in modern societies as far as repressive sanctions, or the criminal law, is concerned. The difference is that "it now produces its effects with a much greater understanding of what it does". But despite this greater consciousness of cause and effects in the modern penal system, "the internal structure of phenomena remains the same, whether they be conscious of it or not". (This is an example of Durkheim's structuralist explanation and his rejection of explanation in terms of the conscious intentions of actors.) His conclusion is that "the essential elements of punishment are the same as of old. And in truth, punishment has remained, at least in part, a work of vengeance" [1], p. 88.

Durkheim's explanation of penal systems is functionalist and structuralist. Punishment serves the "unconscious" (or "latent") function of reaffirming elements of the collective conscience and so

maintaining social solidarity. "Its true function is to maintain social cohesion intact, while maintaining all its vitality in the common conscience . . . We can thus say without paradox that punishment is above all designed to act upon upright people. . ." [1], p. 108. The increasingly more conscious, or intended, functions of penal policies, such as policies of correction and deterrence, were still only secondary in modern societies. This could be seen from the fact that penalties were graded according to the gravity of the offence, which meant the extent to which it offended the collective conscience, not according to the proven success of such penalties in reforming or deterring offenders. The more fundamental causes of penal codes were the functional requirements of deeper cultural structures, such as beliefs and sentiments. Penal codes derived from these deeper sentiments, and the functioning of these codes, reaffirmed and revitalized the sentiments, which provided the social solidarity based on the binding nature of the collective conscience.

The difference between law and punishment in primitive societies and in more complex societies was that the scope and character of the collective conscience had changed. Mechanical solidarity based on resemblance had decreased as the division of labour increased. Law and punishment provided an external index of the change. There was still some criminal law which, in its repressive sanctions, functioned to revitalize and reaffirm the collective conscience when it was offended directly, or when it was offended indirectly by actions against its representative organs, the State institutions, such as government agencies and regulations, or the police. Otherwise, law and punishment were concerned with restoring relations between individuals, or contractual parties, to the state in which they had existed before the act which upset them. In societies with an advanced division of labour there was less resemblance and more differences based on specialization of functions. Social solidarity depended on cooperation between specialized functions and their agents, and restitutive sanctions and civil law reflected these structural realities. The specialization of functions was most obviously apparent in commercial legal codes, which regulated business contracts. But restitutive law also included procedural law, administrative law, constitutional law, and domestic law, all of which were concerned with maintaining or restoring cooperative relations.

The extension of restitutive law and the diminution of repressive law was an index of an increase in the division of labour and the changed base of social solidarity. The reciprocity between specialized functions created an *organic* solidarity, analogous to the relations between specialized organs in the body. However, one of the organs had a

certain priority because it directed the functioning of the others; in the body it is the brain, and in society that organ is the State. It was because of its centrality and representative nature that the State had a privileged position with regard to the law. Some crimes, which did not seem to offend directly against public opinion, were nonetheless severely punished, and this was because they damaged the dignity or authority of the State and its agencies, such as the police. The State laid claim to being the representative and embodiment of the collective conscience, and so any offence against the State was an offence against the collective conscience — thus constituting a threat to social solidarity. However, in terms of the evolutionary framework of Durkheim's models, such claims should diminish, as they amounted to basing solidarity in a society with an advanced division of labour on the mechanism of like-mindedness or a forced conformity, rather than on functional interdependence. Organic solidarity could only supplant mechanical solidarity in a society where all the parts — institutions, and role-players in institutions — functioned according to rules (norms) that were spontaneously generated and positively accepted. The problem with existing industrial capitalist societies in Durkheim's view was that such a situation had not been achieved, and the division of labour was artificial and forced. Consequently, there was widespread 'anomie' — an absence of recognized and positively accepted norms to regulate action, and in Marx's terms "alienation" due to "forced" division of labour.

3.4.5 Anomie and the forced division of labour

According to Durkheim, the prevalence of anomie, which he was to document further in his study of suicide, showed that the line of development of the division of labour had deviated from its "logical" course. The current line of development taken by the existing industrial/capitalist societies seemed to him to be "abnormal" or "pathological", because it deviated from the path of developing organic solidarity. The third section of the book is given over to an examination of these pathological developments, which he suggested were due to an over-rapid industrialization and unequal distribution of power between the groups or classes involved. Inequality was particularly evident in the relations between classes, because those who had only their labour to offer were in a weaker position when entering into a contract than those who had the accumulated resources to purchase their labour, especially in conditions in which inheritance of wealth perpetuated inequality:

"If one class of society is obliged, in order to live, to take any price for its services, while another can abstain from such action thanks to resources at its disposal which, however, are not necessarily due to any social superiority, the second has an unjust advantage over the first at law. In other words, there cannot be rich and poor at birth without there being unjust contracts" [1], p. 384.

Organic solidarity could develop only if there was a progressive elimination of external inequalities in the conditions affecting contracting partners. Inherited wealth was one major source of inequality that would have to be abolished. Other external inequalities that needed to be eliminated were those which hindered the "spontaneous" division of labour; by which he meant all those factors which prevented people from entering the occupations for which they were best suited. In short, he believed equality of opportunity was required to produce organic solidarity in a society with an advanced division of labour:

"... we may say that the division of labour produced solidarity only if it is spontaneous and in proportion as it is spontaneous. But by spontaneity we must understand not simply the absence of all express violence, but also of everything that can even indirectly shackle the free unfolding of the social force that each carries in himself. It supposes, not only that individuals are not relegated to determinate functions by force, but also that no obstacle, of whatever nature, prevents them from occupying the place in the social framework which is compatible with their faculties. In short, labour is divided spontaneously only if society is constituted in such a way that social inequalities exactly express natural inequalities" [1], p. 377.

Inequalities external to the individual's inherent capacities resulted in a "forced" division of labour that affected whole classes. This was different from the "anomic" division of labour, which referred to an absence of regulation of the relations between functions and classes. The anomic division of labour also manifested itself in conflict between classes, especially in disputes over wages, whenever there was no mechanism for reaching agreement. However, Durkheim's discussion of the class conflict associated with the forced division of labour showed that he did not think the mere absence of regulations, as in anomic division of labour, was the main problem:

"It is not sufficient that there be rules, however, for sometimes the rules themselves are the cause of evil. This is what occurs in class-wars. The institution of classes and of castes constitutes an

organization of the division of labour, and it is a strictly regulated organization, although it often is a source of dissention. The lower classes not being, or no longer being, satisfied with the role which has devolved upon them from custom or by law aspire to functions which are closed to them and seek to dispossess those who are exercising those functions. Thus civil wars arise which are due to the manner in which labour is distributed"[1], p. 374.

His discussion of the need to remove the inequalities which produce the forced division of labour rather than a meritocracy based on inherent talent and preference, shows that his main concern was with social equality. It is true that some of his criticisms were directed against the inefficient or insufficient regulation of the existing socio-economic system, which included the failure to regulate markets and to plan the economy, and "abnormal" division of labour due to inefficient organization. But his view of what would constitute a "normal" state amounted to more than a more efficiently regulated version of the existing system; it involved projecting structural tendencies of past development beyond the existing state and towards an ideal state of greater equality. The main task of an advanced society was not to improve efficiency, but to strive for justice.

"The task of the most advanced societies is, then, a work of justice. That they, in fact, feel the necessity of orienting themselves in this direction is what we have already shown and what everyday experience proves to us. Just as the ideal of lower societies was to create or maintain as intense a common life as possible, in which the individual was absorbed, so our ideal is to make social relations always more equitable, so as to assure the free development of all our socially useful forces. . . . There are no needs more firmly entrenched than these tendencies, for they are a necessary consequences of changes which have occurred in the structure of societies"[1], p. 387-8.

By the end of *The Division of Labour*, it is clear that Durkheim had doubts about the possibility of organic solidarity emerging automatically from the increasing division of labour. It would require a more conscious effort of planning and reform to bring it about. It was to this end that he added his suggestions for the developing of occupational associations, as set out in the *Second Preface*, and also insisted that social causes of inequality should be eliminated. In contrast to Spencer, the Utilitarians, and most nineteenth century economists, Durkheim's social analysis led to the advocacy of more 'collectivist' social policies. The anomic and abnormal forms of the division of

labour could only be solved by more planning of the economy, better organization, and more organized involvement of workers and employers in the joint regulation of their industries.

3.4.6 Individualism

The issue of individualism reappears frequently with regard to two types of development. Firstly, he traces the development of "individuation", whereby there is a loosening of the bonds that bind the individual in the collectivity. In contrast with simple societies, advanced societies exhibit a lower volume, intensity, and rigidity of the beliefs, values, and rules of conduct that constitute the collective conscience. This process can be described as "individuation" because it leaves individuals with a greater scope to develop their own propensities and inclinations. But this does not mean that the collective conscience disappears, which would run counter to Durkheim's fundamental view of society as a cultural unity. Rather, the content of the collective conscience changes and is typically different from that of simple societies. Secondly, therefore, Durkheim discusses individualism in terms of changes in the content of the culture of advanced societies compared with that of the simpler societies. The typical moral ideal or ideology of the culture of advanced societies is that of the "cult of the individual", according to Durkheim. This can take many forms, and can co-exist with different types of economic arrangements, but it always entails a moral validation of the specialized division of labour, and from that there follows the concomitant belief that individuals should be able to develop their talents and capacities to the fullest extent. This value was expressed in the slogan of the French Revolution: "Liberty, equality and fraternity", and was fully endorsed by Durkheim as the appropriate value for modern societies based on an advanced division of labour.

The theory of change

The theory of change employed in *The Division of Labour* focuses on the interplay between material and ideal factors. It starts with material factors — that is, changes in the volume and density of the raw material of society. An increase in the degree of concentration of the social mass (population increases, urbanization, improved communications and transport) produces higher levels of social interaction. This engenders competition and conflict, which in turn gives rise to differentiation of functions, the division of labour, on which organic solidarity is based. However, although this occurs in a seemingly 'mechanical' fashion, determined by structural pressures, it does not inevitably take this course unless certain cultural factors facilitate it [1], p. 286. Among

these so-called "secondary factors" are a change in the content of the common conscience from the local and concrete to more abstract; secularization and the rise of science; more autonomy for the individual; a decline in traditions and an increase in rationality, particularly in morals and the law. As differentiation of functions proceeds, the number of rules or norms in society increases, but they relate only to their specialized sphere, and so they carry less weight in society and can more easily allow for innovations. In order for rules to become more general they must become more abstract, and this in turn leaves more space for individual divergences [1], p. 303.

In terms of the development of Durkheim's sociology, this first major work is significant for the fact that it appears to give priority to material causal factors at the morphological level of social life, such as population factors and the struggle for existence resulting from increased population density. But it is clear that, as the argument developed, Durkheim's theoretical interest was in cultural and organizational factors. Whilst insisting that sociology should pay attention to all levels of social phenomena, including the morphological level, Durkheim focused his attention on the level at which beliefs and values became crystallized in the form of institutions, where behaviour is regulated by norms backed by sanctions. It is in this sense that he described sociology as the study of institutions. In *The Division of Labour* the main institution on which attention is focussed is the law; in other works it was to be education, the family, and religion. After the publication of *The Division of Labour*, Durkheim was concerned to defend himself against the charge that he was a "materialist", because he had given causal primacy to material factors. In his defence he made a statement that has since been used to suggest that his sociology became completely idealist. The statement was to the effect that "The principal social phenomena, religion, ethics, law, economy, and aesthetics, are nothing else but a system of values". (Durkheim, 'Jugements de valeurs', in *Sociologie et Philosophie*, [2], p. 140). However, it was the process of institutionalization of values, and the articulation of different levels of social phenomena, that remained the focus of Durkheimian sociology and especially of his theory of social change.

Durkheim's theory of change in *The Division of Labour* has been misinterpreted or underestimated at various times in sociology. Recently there has begun to develop a better appreciation of its innovative basic idea that as societies evolve over time and take on different organizational characteristics, they are subject to different sources of conflict and disruption. It is a mistake to judge the theory as giving priority either to materialist or idealist (cultural) factors; the main focus is on the

changing nature of social organization and the consequent changes in the source of conflict. His suggestion is that the potential for conflict increases under two different sets of conditions, each of which is relevant for a society at a given degree of complexity. In the first set of conditions, when a society with low social differentiation experiences an increase in population size and density, there is increased competition for scarce resources. Increased differentiation (specialized division of labour) is then one possible resolution to the intensifying struggle for existence. However, such a development raises new problems, for as it frees "itself from the framework which encloses it", it engenders opposition from those supportive of that social framework and structure [1], pp. 183-4. Groups seeking change induce opposition and resistance from those in power who seek to maintain the old "political-familial" order.

The situation in societies which reach a more complex division of labour is different. According to the ideal type, increased differentiation of functions should ease the problems of competition for scarce resources, and produce greater interdependence. However, Durkheim's theory proceeds to enumerate some of the conditions which, in practice, produce conflict. He refers to these as the "forced" and "anomic" forms of the division of labour. The forced division of labour occurs whenever labour is divided in the presence of persisting social inequalities, especially those perpetuated through the hereditary transmission of wealth. In such circumstances, conflict in the form of class or civil war will result [1], pp. 374-88.

The anomic division of labour occurs where norms regulating activities break down or fail to emerge. One source of this anomie was where rapid economic change gave rise to new "interests in conflict (which) have not yet had time to be equilibrated" [1], p. 370. Another source was where discrepancies exist between a group's expectations and their achievements. In a such a condition of "relative deprivation", norms governing the means to goal attainment break down, and anomie and increased disorder could result. Some sociologists have sought to make international comparisons, maintaining that, on the basis of this theory, it should be possible to predict that in countries with an advanced division of labour, greater inequality and/or deprivation and/or rapid rate of change would be important predictors of higher levels of political instability and conflict. Empirical studies carried out along these lines, comparing societies in terms of indicators of these variables, tend to give some support to the thesis. (cf Peter G. Sinden [3]).

3.4.8 Criticisms and developments of Durkheim's ideas in *The Division of Labour*

Some of the criticisms that have been levelled against the theoretical framework and the empirical evidence of *The Division of Labour* have already been mentioned. The theoretical weaknesses are mainly in the evolutionary framework and the organic analogy, and they are defects of which Durkheim himself was in some respects conscious. From time to time he pointed out that this kind of "scaffolding" would have to be dismantled, once the bases of proper causal analysis had been established. He also sought to make clear that he did not believe in a unilinear course of evolution for all societies, but rather thought that comparative sociology should have in mind various abstract models or ideal types along a developmental continuum, and that actual research would use this as a reference point against which to analyse specific deviations in existing societies. The developmental continuum was drawn up in relation to his problematic of issues concerning the relation of the individual to society — issues of forms of organization and social integration. Thus the contrast between the extreme ideal types of mechanical and organic solidarity was not on the same level of comparison as the more historically and economically specific types used by Marx, when discussing capitalism and its immediate predecessor: feudalism. If this is kept in mind, then there is no insuperable barrier or opposition between the theories of Marx and Durkheim; they are potentially complementary, or at least mutually cross-fertilizing.

Unfortunately, Durkheim has been held responsible for many subsequent developments in sociological analysis with which he might not have agreed. The so-called functionalist, or neo-Durkheimian, theory of industrial society and of organizations is an example of guilt by association (or guilt by inspiration), so far as Durkheim is concerned. The charges are that Durkheim neglected the inherent class divisions of capitalism by virtue of his depiction of a single type of industrial society based on an advanced division of labour, and that he regarded the anomic and abnormal forms of the division of labour as exceptional rather than inherent in the capitalist system itself. It is then suggested that subsequent management theories such as those of the Human Relations School, directed towards getting the workers to understand and appreciate their role in the differentiated work process, and to give their commitment to management goals, are in a direct line of succession from Durkheim's arguments about the importance of the moral regulation of industry. However, this interpretation ignores the context in which Durkheim made his remarks about workers' anomie, and it distorts Durkheim's political position by making it seem

as if his main concern was with maintaining and promoting capitalism, when in fact his sympathies were with socialism. The fact that socialist societies have still had to wrestle with problems of workers' anomie — that is, with developing forms of work organization and political/economic organization that are meaningful to the individual — shows that Durkheim's problematic had a general relevance. Furthermore, management theories and policies which concentrate on rectifying problems of the anomic division of labour, deriving from the absence of norms to which the worker can feel attached, ignore Durkheim's other pathological condition — the forced division of labour. Durkheim was quite explicit that external inequalities and injustices would have to be removed before there could be a spontaneous division of labour based on freedom. Whereas the problematic of the management theorist gives priority to questions of increasing efficiency, Durkheim's problematic revolved around the issue of reconciling individual freedom and social solidarity.

Within the field of the sociology of industry, Eldridge [4] has shown how the two sources of deviance from the ideal type of spontaneous organic solidarity — the anomic and the forced — can lead to different consequences and require different solutions. In the case of anomie, there are two possible consequences. One general consequence is that the absence of regulation can lead to unspecified desires, and the other is that for the individual specialist worker, work itself can lose its meaning. With regard to the forced division of labour, the possible consequences are, firstly, a resentment of exploitation and an attempt to meet force with force (resistance or revolution); secondly, there is the response of fatalistic acceptance of domination. In a society where anomic and forced division of labour are combined, the unlimited desires/resentment and meaninglessness/fatalism pairs reinforce each other. Some critics (e.g. Horton [5]) have sought to contrast Durkheim's concept of anomie with Marx's concept of alienation, but the contrast only holds up if anomie is kept separate from the forced division of labour; whereas in practice, as Durkheim perceived, they are frequently combined. There can be absence of regulation (anomie) at one level and coercive regulation at another level (forced division of labour), as exemplified by unrestricted competition and lack of agreement over the regulation of prices and incomes, on the one hand, and inequality of opportunities on the other. However, in Durkheim's view, spontaneous attachment to norms (as distinct from coerced attachment deriving from an imposed ideology) could only occur when the forced division of labour was mitigated. As Alan Fox has emphasized, although Durkheim did not believe mitigation of the forced division of labour would in

itself cope with the problem of anomie, he did regard it as an essential precondition [6], pp. 234-5. This is ignored by critics who have accused him of inspiring a belief in the capacity of managerial human relations techniques for curing workers' anomie. He made it clear anomie could only be dispelled by policies based on equality and justice. The most important contribution that he made to contemporary studies of work organization, trades unionism and industrial relations, was in insisting on the significance of social justice, ethics and values. (See, for examples, Michael Poole's discussion of Durkheim's influence on members of the 'Oxford School' of industrial relations, such as Alan Fox, Allan Flanders, and Hugh Clegg [7].)

3.4.9 Changes in Durkheim's sociology of law and punishment

In *The Division of Labour*, Durkheim used systems of law and punishment as an indicator of different types of social integration. He drew a sharp contrast between two systems of law: one dominated by repressive sanctions and corresponding to mechanical solidarity, and the other characterized by a predominance of restitutive principles corresponding to organic solidarity. Critics pointed out that the contrast was overdrawn, and also that many of the societies he used as examples of mechanical solidarity and repressive penal systems were in fact not simple tribal or clan societies, but already possessed the rudiments of central state organization, as in the case of the ancient Jewish and Roman societies. However, he made some strategic alterations to his sociology of law and punishment in his article, 'Two Laws of Penal Evolution' [8] first published in *L'Année sociologique* in 1900. This article responded to some of the criticisms by modifying the former opposition between repressive sanctions and restitutive principles.

The most important additions or modifications to his original thesis were concerned with his classification of crimes, and with regard to the political factor. Whereas, in the original thesis, the main contrast was between repressive and restitutive sanctions, in the later article the contrast involves a classification of crimes into those that are fundamentally religious in character — offences against shared moral tenets that constitute the collective conscience — and those that are "individual", in the sense of involving the essentially private interests of increasingly autonomous individuals. Penal sanctions also change in quantity and quality, with a movement away from corporal punishment and toward depriving the individual of possessions or freedom, i.e. fines and imprisonment. This development corresponds to the increasing differentiation within society, and the increasing focus on the individual, in this case as criminal or victim. Durkheim makes an interesting point about

prisons only coming into existence when a society reached a sufficiently advanced stage of material development to permit the existence of secure and fortified establishments, such as castles or other large dwellings of a king or class of notables.

With regard to the political factor, Durkheim conceded that the process of differentiation within society, as the key determinant of law and punishment, might be temporarily overshadowed by the effects brought about by variations in political institutions. The specific case he had in mind was where governmental power became absolute, with no countervailing limitation from other institutions. In such situations, punishments would become more severe and repressive. Durkheim regarded such occurrences as exceptional deviations from the normal course of development. However, later studies of the pattern of political development, especially of colonial states, tend to suggest that repressive law may be a normal feature at a certain stage of development. Criminalization of offences that were previously treated as purely civil matters seems to occur in the period when a state is being newly formed and wishes to assert its authority over traditional and local institutions previously oriented to restitutive justice. This repressive penal policy may be yet another example of the symbolic functions of punishment, about which Durkheim wrote with such insight. In this case the newly-emerging state institutions seek to assert their hegemony over other institutions and over the minds of the citizens, and so anything that detracts from the dignity and authority of the State is severely punished.

Law and Penal Policy — Modifications and Criticisms

Before examining some of the criticisms that have been levelled against Durkheim's sociology of law, and the modifications and alternatives that have been suggested, it is worth noting that even his most severe critic maintains that "there is also an underlying validity in the importance that Durkheim attaches to the law for any understanding of society" [9], p. 36. Certainly the phenomenon of law was of crucial importance in Durkheim's sociological model because it was an external indicator of a level of social life at which moral forces became crystallized and institutionalized to a degree where they were formalized and backed by sanctions.

The most common criticism is that Durkheim overestimated the extent to which law is repressive in pre-industrial societies, and underestimated the extent to which repressive law continues in industrial societies. An early review of *The Division of Labour*, when it appeared in English in 1933, pointed out that anthropological evidence acquired

in the forty years since the book's first appearance showed that there was much division of labour and little repressive law in primitive societies [10]. One of the most famous pieces of anthropological research that seemed to provide evidence contrary to Durkheim's thesis was carried out by Malinowski in the Trobriand Islands [11]. It stressed the reciprocal and tolerant nature of the Trobrianders' social relations and the non-religious basis of their legal system. A later summary of ethnographic evidence by Barnes also came to the conclusion that the evidence did not substantiate Durkheim's claim that society's evolutionary development had been accompanied by a change in the law from repressive to restitutive. Barnes maintained that "the ethnographic evidence shows that, in general, primitive societies are not characterized by repressive laws", and that "it is governmental action that is typically repressive" [12], pp. 168-9.

A more radical criticism is to the effect that Durkheim was right in positing a parallel development in the division of labour and in legal systems, but that he got it the wrong way round. Sheleff maintains that the development has been in the direction of more repressive law. In his view the repressive nature of modern legal systems may be a consequence of the degree of homogeneity and conformity which mass society has imposed on modern man, as noted by sociologists of different political persuasions, from the conservative Ortega y Gasset to the radical C. Wright Mills, from Riseman's other-directed man to Marcuse's one-dimensional man. The criminalization of offences against moral standards and government regulations has been examined from various angles, ranging from sociologists concerned with social reform (who may advocate the use of the law to control pollution or enforce the wearing of seat-belts in cars), to sociologists of deviance who criticize those "moral entrepreneurs" who try to use the criminal law to have their standards of morality imposed on all of the population (cf Howard Becker [13]). Two prominent approaches to the sociology of deviance — conflict and labelling — have pointed to the repressive aspects of modern legal systems, and have focused attention on the political process by which acts become defined as criminal, and on the practical administrative process of police, judicial, and correctional actions by which an individual becomes defined as deviant. Both these theories stress the social need for stigmatizing deviant groups and deviant acts, and draw some inspiration from Durkheim's own analysis of the functional importance for society of finding an outlet for its hostility against deviant groups as a means of contributing to the solidarity of the community.

An important factor modifying Durkheim's original thesis is that of

the political structure. Durkheim placed his emphasis on the general process of increasing division of labour and structural differentiation within modern society. However, the emergence and growth of the State as the dominant institution, or institutional complex, has presented a major deviation from Durkheim's postulated trend. Although he tried to take account of the political factor in his later article, "Two Laws of Penal Development", he still regarded the increase of repressive law as a temporary deviation brought about by the pathological form of "absolute" State. He limited his analysis of governmental authoritarianism to its impact on the intensity and type of punishment, without going on to consider its possible impact on social structure and the nature of law. If, as seems likely, it is a normal occurrence for governments of industrial societies to use penal sanctions to maintain control over wide areas of social life, it would be necessary to modify Durkheim's thesis that the normal course of development is for repressive law to diminish as the division of labour increases. A compromise position, suggested by some sociologists, modifies Durkheim's thesis of a unilinear development of the law and puts forward a curvilinear sequence (Du Bow [14]). According to this view, there is a move from restitutive law in the most simple societies, to repressive law in the early stages of the establishment of a State as it attempts to gain a monopoly of the legitimate use of coercion, followed by a return to restitutive law when the State has become established and mature. Civil and restitutive law can predominate when there is a high degree of social solidarity and value integration, and criminal law predominates when the emerging State has still to establish its ideological hegemony. This curvilinear development thesis still entails a modification of Durkheim's view that simple societies needed repressive law in order to maintain social solidarity. However, it does not go against most of the empirical evidence cited by Durkheim, because the majority of the cases he cited as examples of non-industrial societies with a high degree of repressive law were in fact at the stage of developing a central state organization.

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3.5 THE RULES OF SOCIOLOGICAL METHOD

3.5.1 Character of the book — manifesto and transitional

The *Rules* [1] is a manifesto for the cause of scientific sociological analysis. It is not a distillation of lessons learned in doing sociological research. The strength of his advocacy of certain methodological positions arose from his polemical interest in asserting the claims of sociology against contemporary detractors or rivals, and in distancing himself from unscientific predecessors. It has even been suggested that methodological interests were not dominant in his thinking, and that he regarded methods in a purely instrumental manner, so much so that he would have agreed with the remark of another social scientist that "discussing methodology is like playing the slide trombone. It has to be done extraordinarily well if it is not to be more interesting to the person who does it than to others who listen to it" [2]. However, he

was a devastating critic of inadequate methods, as can be seen in his reviews in the *Année*.

Because of its manifesto-like character, it would be unfair to judge Durkheim's methodological position on the basis of the *Rules* taken in isolation, just as it would be unfair to judge Marx's methodology and epistemology on the basis of the *Communist Manifesto*. In the case of Marx, a full appreciation of the richness and variety of his methods can only be gained by comparing works as diverse as *Capital*, the *Eighteenth Brumaire of Louis Napoleon*, and others. It is even more important in appreciating Durkheim's position to take account of the full range of his works, from the early reviews, where he can be seen working out his own position in relation to his predecessors and contemporaries (especially the German social scientists), through to his later works on primitive classification and religion, and including neglected but important works such as *The Evolution of Educational Thought* [3].

An examination of some of these works makes it plain that his methodological ideals in the *Rules* only partly resembled his actual methods. He employed a dialectical form of argument in discussing methods, which entailed setting forth antithetical views that he then criticized and seemingly discarded. But then he would often reincorporate elements of these positions in his own synthesis. This dialectical procedure, whereby he synthesized and reintegrated in his own approach positions which he had first criticized, is more important for understanding his thought than the other procedure he used, which was "argument by elimination", in which alternative positions are systematically rejected in a way meant to lend authority to the sole remaining position — his own. Such an argument proves nothing, as there is no way of knowing whether all the possible alternatives have been considered, nor need the various positions be mutually exclusive.

The *Rules* marked a transitional point in Durkheim's intellectual development. In the *Division of Labour* he had developed and applied his formulation of the subject-matter of sociology — the nature of social solidarity. He had discussed a range of empirical phenomena, including changes in the social sub-structure and corresponding changes in institutions and the collective conscience. He had developed the basis of his method: treating *social facts* as real *things*; asking questions about the sorts of social facts that might have *caused* other social facts to develop in a particular direction; and also asking what was the social need (*function*) served by a social fact such as an institution; and he had tried to develop models or types of sets of social facts that seemed to *normally* fit together (or vary together — *concomitant variation*) at certain points on a continuum; the continuum had been